



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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#16

Mr. Roland Quiros  
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MAILED

DEC 31 2003

Office of the Director  
Group 3600

In re Application of  
Hilary Laing De Leon  
Application No. 09/803,889  
Filed: March 13, 2001  
For: SELF-CONTAINED FLIGHT DATA  
RECORDER WITH WIRELESS DATA  
RETRIEVAL

DECISION ON PETITION  
TO WITHDRAW THE  
HOLDING OF ABANDONMENT

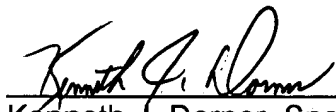
This is in reply to applicant's renewed petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office on September 19, 2003.

The petition is **GRANTED.**

In response to the letter mailed by the Office on July 22, 2003 dismissing applicant's earlier petition to withdraw the holding of abandonment applicant has responded in a renewed petition with the requirements to withdraw the holding of abandonment.

Applicant has provided a statement that he was at the correspondence address of record at the time the final Office Action, mailed November 4, 2002, would have been received. Applicant's secretary, Ms. Cynthia M. Saludo, swears in an affidavit that she was at applicant's correspondence address, that she is in charge of "all Office communications and other mail matters" for Micrologic Systems Inc. and provides copies of records on which the receipt date of the Office communication would have been entered had it been received in a log journal covering the period after the date of the Office communication. She also states that from October 2002 up to August 2003 the company received no communication from the Patent and Trademark Office concerning applicants patent application. This is considered to be evidence to show non-receipt of the communication in question.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to withdraw the abandonment, return the application to pending status, and to redate and remail the Office Action of November 4, 2002 based on the reasoning in the case of *Delgar v. Schuyler*, 172 USPQ 513.

  
Kenneth J. Dorner, Special Programs Examiner  
Patent Technology Center 3600  
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KJD/cps: 12/22/03

cc:

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